

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA**

DAVID F. INLAY,	:	Docket No. 2:22-cv-01554-CB
	:	
Plaintiff,	:	JURY TRIAL DEMANDED
vs.	:	
	:	
RECEIVABLES MANAGEMENT PARTNERS,	:	
LLC D/B/A RMP, LLC D/B/A RMP, MEDUIT	:	
GROUP, LLC, EXPERIAN INFORMATION	:	
SOLUTIONS, INC., AND TRANSUNION LLC,	:	
	:	
Defendants.	:	

**DEFENDANT RECEIVABLES MANAGEMENT PARTNERS, LLC D/B/A RMP, LLC
D/B/A RMP'S ANSWER, AFFIRMATIVE DEFENSES,
AND DEMAND FOR A JURY TRIAL**

Defendant Receivables Management Partners, LLC d/b/a RMP, LLC d/b/a RMP, (“Answering Defendant”), by and through its undersigned counsel, answers the Complaint (“Complaint”) of Plaintiff David F. Inlay (“Plaintiff”), and states as follows:

I. INTRODUCTION

1. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.
2. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.
3. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.
4. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

5. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

6. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

II. JURISDICTION AND VENUE

7. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

8. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

III. PARTIES

9. Denied. Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations, if any, contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same.

10. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

11. Admitted in part; denied in part. Answering Defendant admits that it has an office in Indiana and utilizes a mailing address in Cincinnati, Ohio. The remaining allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

12. Admitted in part; denied in part. Answering Defendant admits only that in certain instances, it may be considered a "debt collector" as that term is defined by 15 U.S.C. § 1692a(6). However, Answering Defendant lacks sufficient knowledge to admit or deny the allegation that it is a "debt collector" in the present case, and further states that this allegation calls for a legal conclusion regarding the definition of the cited statute. Therefore, Answering Defendant denies

the same for the present time and demands strict proof thereof. The remaining allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

13. Admitted in part; denied in part. Answering Defendant admits only that in certain instances, it may be considered a “debt collector” as that term is defined by 15 U.S.C. § 1692a(6). However, Answering Defendant lacks sufficient knowledge to admit or deny the allegation that it is a “debt collector” in the present case, and further states that this allegation calls for a legal conclusion regarding the definition of the cited statute. Therefore, Answering Defendant denies the same for the present time and demands strict proof thereof. The remaining allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

14. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

15. Admitted in part; denied in part. Answering Defendant admits only that in certain instances, it may be considered a “debt collector” as that term is defined by 15 U.S.C. § 1692a(6). However, Answering Defendant lacks sufficient knowledge to admit or deny the allegation that it is a “debt collector” in the present case, and further states that this allegation calls for a legal conclusion regarding the definition of the cited statute. Therefore, Answering Defendant denies the same for the present time and demands strict proof thereof. The remaining allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

16. Admitted in part; denied in part. Answering Defendant admits only that in certain instances, it may be considered a “debt collector” as that term is defined by 15 U.S.C. § 1692a(6). However, Answering Defendant lacks sufficient knowledge to admit or deny the allegation that it is a “debt collector” in the present case, and further states that this allegation calls for a legal conclusion regarding the definition of the cited statute. Therefore, Answering Defendant denies

the same for the present time and demands strict proof thereof. The remaining allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

17. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

18. Denied. Answering Defendant states that the terms of the website referenced in Paragraph 18 of Plaintiff's Complaint speak for themselves.

19. Denied. Answering Defendant states that the terms of the website referenced in Paragraph 19 of Plaintiff's Complaint speak for themselves.

20. Denied. This Paragraph is not directed toward Answering Defendant. To the extent that a response is required, Answering Defendant states that the allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

21. Denied. This Paragraph is not directed toward Answering Defendant. To the extent that a response is required, Answering Defendant states that the allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

22. Denied. This Paragraph is not directed toward Answering Defendant. To the extent that a response is required, Answering Defendant states that the allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

23. Denied. This Paragraph is not directed toward Answering Defendant. To the extent that a response is required, Answering Defendant states that the allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

24. Denied. This Paragraph is not directed toward Answering Defendant. To the extent that a response is required, Answering Defendant states that the allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

25. Denied. This Paragraph is not directed toward Answering Defendant. To the extent that a response is required, Answering Defendant states that the allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

26. Denied. This Paragraph is not directed toward Answering Defendant. To the extent that a response is required, Answering Defendant states that the allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

27. Denied. Answering Defendant states that the terms of the website referenced in Paragraph 27 of Plaintiff's Complaint speak for themselves.

28. Denied. This Paragraph is not directed toward Answering Defendant. To the extent that a response is required, Answering Defendant states that the allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

29. Denied. This Paragraph is not directed toward Answering Defendant. To the extent that a response is required, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same.

30. Denied. This Paragraph is not directed toward Answering Defendant. To the extent that a response is required, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same.

IV. FACTUAL ALLEGATIONS

31. Denied. Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations, if any, contained in this Paragraph of Complaint, and therefore denies the same.

32. Denied. Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations, if any, contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same.

33. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

34. Denied. Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations, if any, contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same.

35. Denied. Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations, if any, contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same.

36. Denied. Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations, if any, contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same.

37. Denied. This Paragraph is not directed toward Answering Defendant. To the extent that a response is required, Answering Defendant states that the allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

38. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

39. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

40. Denied. Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same.

41. Denied. Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same.

42. Denied. Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same.

43. Denied. Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same.

44. Denied. Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same.

45. Denied. Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same.

46. Denied. Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same.

47. Denied. Answering Defendant states that the terms of any of its communications with Plaintiff speak for themselves.

48. Denied. Answering Defendant states that the terms of any of its communications with Plaintiff speak for themselves. Further, the allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

49. Denied. Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same.

50. Denied. Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same.

51. Denied. Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same.

52. Denied. Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same.

53. Denied. Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same. Further, the allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

54. Denied. Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same. Further, the allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

55. Denied. Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same. Further, the allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

56. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

57. Denied. Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same. Further, the allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

58. Denied. Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same.

59. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

60. Denied. Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations, if any, contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same.

61. Denied. Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations, if any, contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same.

62. Denied. Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same.

63. Denied. Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same. Further, the allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

64. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

65. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

66. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

67. Denied. Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same.

68. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

69. Denied. This Paragraph is not directed toward Answering Defendant. To the extent that a response is required, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same.

70. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

71. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

72. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

73. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

74. Denied. Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same.

75. Denied. Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same.

76. Denied. Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same.

77. Denied. Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same.

**V. CAUSES OF ACTION
COUNT I**

78. Answering Defendant repeats its responses to all of the allegations contained in Paragraphs 1-77 above and incorporates them as if specifically set forth at length herein.

79. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

80. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

81. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

82. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

83. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

84. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

85. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

86. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

87. Denied. This Paragraph is not directed toward Answering Defendant. To the extent that a response is required, Answering Defendant states that the allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

88. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

89. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

COUNT II

90. Answering Defendant repeats its responses to all the allegations contained in Paragraphs 1 through 89 above and incorporates them as if specifically set forth at length herein.

91. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

92. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

93. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

94. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

95. Denied. The allegations in this Paragraph, if any, are denied as they call for a legal conclusion to which no response is required.

96. Denied. This Paragraph is not directed toward Answering Defendant. To the extent that a response is required, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same.

COUNT III

97. Answering Defendant repeats its responses to all the allegations contained in Paragraph 1 through 96 above and incorporates them as if specifically set forth at length herein.

98. Denied. This Paragraph is not directed toward Answering Defendant. To the extent that a response is required, Answering Defendant is without knowledge or information sufficient

to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same.

99. Denied. This Paragraph is not directed toward Answering Defendant. To the extent that a response is required, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same.

100. Denied. This Paragraph is not directed toward Answering Defendant. To the extent that a response is required, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same.

101. Denied. This Paragraph is not directed toward Answering Defendant. To the extent that a response is required, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same.

102. Denied. This Paragraph is not directed toward Answering Defendant. To the extent that a response is required, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same.

103. Denied. This Paragraph is not directed toward Answering Defendant. To the extent that a response is required, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint, and therefore denies the same.

WHEREFORE, Answering Defendant requests that this Court dismiss Plaintiff's Complaint in its entirety with prejudice, and award Answering Defendant its reasonable attorney's fees and costs incurred in defending this action. Answering Defendant further requests that this Court deny any other requested damages, fees, costs, other legal and equitable relief, and award such other relief as the Court deems just and equitable.

DEMAND FOR TRIAL BY JURY

Answering Defendant demands a trial by jury under Fed. R. Civ. P. 38 for all issues so triable.

AFFIRMATIVE DEFENSES

1. Plaintiff has failed to state a claim upon which relief can be granted.
2. Plaintiff's claims may be barred by the statute of limitations.
3. Any violation of law by Answering Defendant, which is specifically denied, was not intentional and resulted from a bona fide error notwithstanding the maintenance of procedures reasonably adapted to avoid any such error.
4. Answering Defendant respectfully reserves the right to assert any additional affirmative defenses that may be revealed during the course of discovery.

Respectfully Submitted:

KAUFMAN DOLOWICH & VOLUCK, LLP

By: /s/ Monica M. Littman
RICHARD J. PERR, ESQUIRE
MONICA M. LITTMAN, ESQUIRE
Four Penn Center
1600 John F. Kennedy Blvd., Suite 1030
Philadelphia, PA 19103
Telephone: (215) 501-7002
Facsimile: (215) 405-2973
rperr@kdvlaw.com; mlittman@kdvlaw.com

Attorneys for Defendant Receivables Management
Partners, LLC d/b/a RMP, LLC d/b/a RMP

CERTIFICATE OF SERVICE

I, Monica M. Littman, hereby certify that on this date I served a true and correct copy of the foregoing electronically via the Court's CM/ECF system on the following:

Eugene D. Frank, Esq.
Law Offices of Eugene D. Frank, P.C.
3202 McKnight East Drive
Pittsburgh, PA 15237
efrank@edf-law.com
Attorney for Plaintiff David F. Inlay

Jonathan McCreary, Esq.
Jones Day
500 Grant Street, Suite 4500
Pittsburgh, PA 15219
jmccreary@jonesday.com
Attorney for Defendant Experian Information Solutions, Inc.

Preandra Landrum, Esq.
Schuckit & Associates P.C.
4545 Northwestern Drive
Zionsville, IN 46077
plandrum@schuckitlaw.com
Attorney for Defendant TransUnion, LLC.

Stanley W. Greenfield, Esq.
Greenfield & Kraut
6315 Forbes Ave, Suite 110A
Pittsburgh, PA 15217
greenfieldandkraut@verizon.net
Attorney for Defendant TransUnion, LLC

Date: December 14, 2022

4867-1260-9604, v. 1